



A-8753X  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Gerald J. BANKS

Appln. No.: 10/808,286

Group Art Unit: 2824

Filed: March 25, 2004

Examiner: V. Le

For: ELECTRICALLY ALTERABLE NON-VOLATILE MEMORY WITH  
N-BITS PER CELL

\* \* \*

TERMINAL DISCLAIMER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The owner, BTG International Inc., of the entire interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173, as presently shortened by any terminal disclaimer, of any one of prior Patent Nos. 6,584,012 and 6,243,321. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

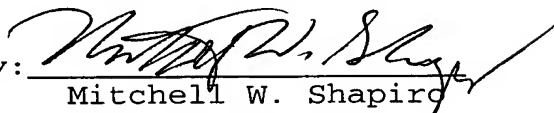
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the

instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of any said prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

A check for \$130.00 in payment of Terminal Disclaimer fee under 37 C.F.R. § 1.20(d) is attached.

January 28, 2005  
Date

By:   
Mitchell W. Shapiro  
Reg. No. 31,568